

PROB 12A  
(7/93)

UNITED STATES DISTRICT COURT  
for  
Western District of Texas

**Report on Offender Under Supervision**

Name of Offender: Paulo Guillen

Case Number: 1:17-CR-00265-LY(1)

Name of Sentencing Judicial Officer: Honorable Lee Yeakel, U.S. District Judge

Date of Original Sentence: October 26, 2018

Original Offense: Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922 (g)(1) and 924(a)(2)

Original Sentence: 37 months' imprisonment in the custody of the U.S. Bureau of Prisons, followed by a three-year term of supervised release. Special conditions include: participate in substance abuse treatment; substance abuse testing; refrain from the use of alcohol and all other intoxicants; shall not use or possess any controlled substances without a valid prescription; search; shall not associate or have any type of contact with the members or associates of the Tango Blast or any prison or street gang; and a \$100 special assessment (satisfied)

Type of Supervision: Supervised Release

Date Supervision Commenced: August 11, 2021

Assistant U.S. Attorney: Mark H. Marshall

Defense Attorney: Jose I. Gonzalez-Falla

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**PREVIOUS COURT ACTION**

On September 22, 2021, a Request for Modifying the Conditions or Term of Supervision with Consent of the offender was submitted to the Court to request a modification to include the offender participate in mental health treatment and take all mental health medications as prescribed. The modification was requested to assist the offender in addressing his mental health needs. On this same date, the Court concurred with this recommendation.

On January 11, 2022, a Report on Offender Under Supervision was filed with the Court advising of Guillen's failure to submit to random drug testing on November 17 & 23, and December 3, 2021, and to report that Guillen had submitted a positive marijuana urine specimen on December 7, 2021. No Court action was requested or taken.

On February 2, 2022, a Report on Offender Under Supervision was filed with the Court advising of Guillen's failure to submit to random drug tests on January 14, 25, and 27, 2022 as well as his admittance to smoking marijuana on or about January 22, 2022. No Court action was requested or taken.

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On March 9, 2022, a Petition for Warrant or Summons for Offender Under Supervision was filed with the Court to report Guillen's failure to attend mental health and substance abuse treatment; positive drug tests submitted on December 20 & 23, 2021, and February 2 & 11, 2022, and March 2, 2022, and his failure to submit to random drug testing as required. On March 28, 2022, the Court continued Guillen's term of supervised release with the added special condition requiring him to participate in, and successfully complete, an inpatient substance abuse treatment program.

### NONCOMPLIANCE SUMMARY

**Violation of Special Condition:** "The defendant shall refrain from the use of alcohol and all other intoxicants during the term of supervision."

**Nature of Noncompliance:** On September 29, October 18, and October 20, 2022, Guillen submitted random drug tests which returned positive for ethyl glucuronide (alcohol). During a telephone contact with Guillen on October 26, 2022, he admitted to consuming alcohol sporadically. Guillen was reminded of his alcohol abstinence condition and directed to cease alcohol use. He agreed to comply with this directive. On November 7, 2022, Guillen reported to the probation office as instructed. During this contact, he admitted to having again consumed alcohol on or about November 3, 2022. Guillen signed the admission/denial of use form, admitting to alcohol consumption on the above noted dates.

**Violation of Mandatory Condition No. 3:** "The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter (as determined by the court), but the condition stated in this paragraph may be ameliorated or suspended by the court if the defendant's presentence report or other reliable sentencing information indicates low risk of future substance abuse by the defendant."

**Nature of Noncompliance:** On October 31, 2022, Guillen failed to submit to a random drug test.

**Violation of Standard Condition No. 2:** "After initially reporting to the probation office, the defendant will receive instructions from the court or the probation officer about how and when to report to the probation officer, and the defendant shall report to the probation officer as instructed."

**Nature of Noncompliance:** On November 3, 2022, Guillen failed to report to the probation office as instructed. Attempts to contact him the same date went unreturned.

**U.S. Probation Officer Action:** The probation office respectfully requests no adverse action be taken at this time. Guillen continues to participate in mental health and substance abuse treatment services and is submitting to the highest level of random drug testing. Furthermore, Guillen acknowledged an understanding of his alcohol abstinence special condition and has agreed to cease further alcohol use. He will be closely monitored for compliance. Should he incur any further violations, the Court will be immediately notified. Accordingly, the Court reserves the right to revisit this allegation in the future.

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Approved by,



Patricia A. Whitson  
Supervising U.S. Probation Officer

Respectfully submitted,



Heather M. Durand  
Senior U.S. Probation Officer  
Date: November 10, 2022

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**THE COURT ORDERS:**

☒ No Action

☐ Submit a Request for Modifying the Conditions or Term of Supervision

☐ Submit a Request for Warrant or Summons

☐ Other \_\_\_\_\_



Honorable Susan Hightower  
United States Magistrate Judge

Date: November 10, 2022